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THE INTERIM

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DECEMBER 1985 VOL. V, No. 7

JOINT INTERIM SUBCOMMITTEE ON VO-TECHS AND JOB TRAINING

NOVEMBER 25 MEETING HELD

The Joint Interim Subcommittee on Vo-Techs/Job Training held its second meeting of the interim on Monday, November 25.

JTPA REPORTS HEARD

The Subcommittee reviewed a staff report on programs funded under the Job Training Partnership Act (JTPA). Gary Curtis, Administrator of the Job Service and Training Division, and Candace Brown of the AFL-CIO provided supplementary information in response to Subcommittee members' questions. Testimony on the effectiveness of the state's job training and placement programs was given by representatives of the Montana Low Income Coalition, the Butte Community Union, the Low Income Group for Humane Treatment, and Jim Smith of the Human Resource Development Council. Subcommittee members asked staff to provide additional information on the proportion of federal funds spent for on-the-job training and on the proportion of expenditures for all programs that actually support administration. At the Subcommittee's next meeting, staff will also report on the implementation of JTPA in other states.

SHELVED WITH PERIODICALS

POST-SECONDARY VO-TECH REPORTS REVIEWED

The afternoon agenda was devoted to staff presentations on the history and status of the post-secondary vocational-technical center system and on the constitutionality of the present governance structure. Staff of the Legislative Auditor's Office reviewed the findings of a December 1984 performance audit of the Office of Public Instruction's Department of Vocational Education Services and the vocational education programs at the vo-tech centers and high schools.

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Montana Legislative Council

The Superintendent of Public Instruction offered the Subcommittee a plan for reform of the vo-tech center system. Other interested persons were encouraged to submit options for the governance and funding of the vo-techs prior to the next Subcommittee meeting in early February.

JOINT INTERIM SUBCOMMITTEE ON INFRASTRUCTURE

SECOND MEETING HELD NOVEMBER 1

At its second meeting on November 1, the Interim Subcommittee on Infrastructure heard three reports on present uses of coal severance tax revenue for infrastructure: an overview by Paul Verdon, researcher for the Coal Tax Oversight Subcommittee; a review of the Water Development Bond Program by Caralee Cheney, chief of the Water Development Bureau in DNRC; and a report on the Montana Economic Development Board's in-state investment program by Terry Spalinger, loan officer for the Board.

JANUARY 24 DATE SET

In response to an earlier Subcommittee request, staff presented a draft questionnaire for county and municipal governments. The purpose of the proposed survey is to determine local priorities for expansion or repair of public works. Questionnaires will be sent to all 56 counties and all 127 incorporated municipalities. Preliminary results will be reported to the Subcommittee at its next meeting on January 24.

JOINT INTERIM SUBCOMMITTEE ON AGRICULTURAL PROBLEMS

STUDY ISSUES SURVEY

The Joint Interim Subcommittee on Agricultural Problems has completed a survey of its members to identify the issues and policy options it should examine as part of the study called for by HJR 57, which requests an interim study on the economic problems of agriculture in Montana.

The results of the survey indicate a general consensus of the Subcommittee regarding the importance of ten study questions. These questions relate to the issues of farm finance, agricultural research, transportation costs, state tax policy, gasohol, export trade, conservation, and federal agricultural policy.

In addition, the survey shows that a majority of the Subcommittee agrees on the relative importance of sixteen other study questions. These questions

consisted mainly of specific policy options suggested for possible study, including establishment of programs to provide for debt restructuring, emergency farm credit, farm foreclosure relief, marketing of limited blended grain, and tax reform measures to discourage tax-loss farming or ownership of agricultural land for other than food or fiber production.

NEXT MEETING LATE FEBRUARY

The results of the survey will be used to further limit and define the scope and direction of the study. The next meeting of the Subcommittee is not expected to be held until late February 1986.

JOINT INTERIM SUBCOMMITTEE ON LIEN LAWS

FEBRUARY MEETING SCHEDULED

The third meeting of the Joint Interim Subcommittee on Lien Laws is scheduled for Friday and Saturday, February 7 and 8, in room 104 of the Capitol. Advocates of specific statutory liens who have not yet made presentations will be invited to appear. The Subcommittee will then continue its discussions of and make recommendations on exemptions and will discuss whether to formulate recommendations on mechanics' liens.

JOINT INTERIM SUBCOMMITTEE ON THE LAW ENFORCEMENT ACADEMY

SECOND MEETING DECEMBER 2

The Joint Interim Subcommittee on the Law Enforcement Academy will hold its second meeting of the interim on Monday, December 2, at 9 a.m. at the Montana Law Enforcement Academy in Bozeman.

The purpose of the meeting is to establish site and facility requirements for an improved facility to house the Montana Law Enforcement Academy and to determine criteria for the evaluation of proposals.

During this meeting, the Subcommittee will also discuss the results of a review conducted by the Legislative Auditor's Office concerning the lease and purchase option agreement covering the existing facilities used by the Academy.

The meeting is being held in Bozeman at the request of Representative Bob Thoft, Chairman of the Subcommittee. The meeting is in Bozeman to permit the Subcommittee the opportunity to inspect the current Academy facilities in order to better understand the facility needs of the Academy.

POSSIBLE PROPOSALS

Currently, 20 parties from 17 different cities have expressed an interest in submitting a proposal for relocation of the Academy. These parties have developed tentative proposals to locate the Academy in the following communities:

Anaconda, Billings, Boulder, Bozeman, Butte, Dillon, Gallatin Gateway, Glasgow, Great Falls, Hamilton, Havre, Helena, Lewistown, Lincoln, Livingston, Missoula, and Twin Bridges.

Two facility proposals are being planned for the cities of Butte, Lewistown, and Missoula.

The Subcommittee hopes to call for proposals in mid-December so that it may receive all proposals by January 17.

ENVIRONMENTAL QUALITY COUNCIL

NOVEMBER 25 MEETING IN BUTTE

The Land Resources Subcommittee of the Environmental Quality Council convened in Butte on November 25 to discuss the general status of hard-rock mining in Montana. Public comment was encouraged and received by the Subcommittee at the meeting.

WEATHER NOT A FACTOR FOR THIS GROUP

The Subcommittee also toured the Golden Sunlight gold mine near Whitehall, the East Berkeley Pit at Butte, and Pfizer's talc mining operation near Dillon. These tours provided background on the various types of hard-rock mining and established a basis for examining concerns expressed about mining in Montana.

The EQC tentatively plans to meet in January on a date to be announced.

LEGISLATIVE AUDIT COMMITTEE

MEETING DECEMBER 9

The Legislative Audit Committee will meet December 9 in room 104 of the Capitol.

REPORTS

Reports to be reviewed by the Committee include:

-- financial-compliance audits on the Department of Commerce, Montana Development Center, Board of Investments, and the audit of the statewide comprehensive annual financial reports;

-- performance audit on Medicaid Program Integrity;

-- electronic data processing audit on Computer Disaster Recovery; and

-- contract financial-compliance audit on the legislative branch.

COPIES AVAILABLE

Copies of all reports are available upon release by the Legislative Audit Committee from the Office of the Legislative Auditor, room 135, State Capitol, Helena MT 59620, telephone 444-3122.

LEGISLATIVE COUNCIL

CODE INDEX SHIPPED

The three-volume Index for the 1985 edition of the Montana Code Annotated Statute Text has been shipped from the printer in Dubuque, Iowa. All Code subscribers and legislators who have purchased sets should have received the Index by the time they read this.

CODE ON MICROFICHE

This year, for the first time, the Code Index has been prepared on microfiche for subscribers. The Code Commissioner expects microfiche sales to become more popular because of the many advantages. The two most important advantages are early availability -- lawyers had the complete Code shortly after September 1 this year -- and the very small space occupied by the Code for long-term storage. The entire Code consumes about 3"x5" x 3/4" on the shelf on a very durable medium. For everyday use the books are essential, but more and more professional users are discovering microfiche. The microfiche Code and Index is free to Code subscribers and $10 to non-subscribers.

JANUARY 17 MEETING

The Council plans to meet January 17 at 10 a.m. in room 132 of the Capitol.

LEGISLATIVE FINANCE/LEGISLATIVE COUNCIL

EDUCATION LAWSUIT

The Legislative Finance Committee and the Legislative Council met jointly on November 22 to discuss the education lawsuit. A joint subcommittee was appointed to determine if an interim committee should be established on school funding and how administrative details of the committee may be accommodated. Legislative Finance Committee members appointed are: Senators McCallum and Van Valkenburg, and Representatives Donaldson and Peck. Legislative Council members

appointed are: Representatives Vincent, Manuel, Marks, and Eudaily. Staff of both committees are working with the subcommittee.

LEGISLATIVE FINANCE COMMITTEE

SPENDING AUTHORITY EXCEEDS INTENT AND AUTHORITY

The Office of Public Instruction had $1.1 million of spending authority established in the accounting system by the Office of Budget and Program Planning that was not appropriated by the Legislature. The Office of Public Instruction indicated there was no problem with reducing the spending authority to the appropriation level. The Committee recommended this be done.

The Central Office of the Department of Institutions had $248,202 more federal block grant spending authority in the accounting records than intended by the Legislature. This was a 40 percent expansion for the drug program should the funds be spent. The Legislative Finance Committee recommended that the Office of Budget and Program Planning reduce the spending authority to the level intended by the Legislature.

COAL BOARD GRANTS

Coal Board grants were reviewed. The report showed that since 1980, there has not been significant growth in coal mining employment or production, and there is no significant expansion of coal production forecast in the near future. There also appears to be significant untapped potential at the local level to finance any additional public services. The report cited that Coal Board grants to local governmental units within the coal producing region raise questions about need for the grants, the severity of impacts, and the degree of local effort. These latter considerations are the basis for grants contained in statute.

NEXT MEETING JANUARY 17, 18

The next Legislative Finance Committee meeting is scheduled for January 17 and 18.

ADMINISTRATIVE CODE COMMITTEE

MEETING HELD NOVEMBER 22

The Administrative Code Committee met on Friday, November 22. The Committee considered proposed rules by the Commissioner of Political Practices relating to receipts from Political Action Committees (PACS). The Committee voted to object to various provisions in the rules as unnecessary and beyond legislative intent.

PAC RULES RAISE OBJECTIONS

RULES ON AGE DISCRIMINATION

The Committee also reviewed rules relating to age discrimination in housing adopted by the Human Rights Commission. The Committee affirmed the determination by the Commission that delayed the implementation of the rules. The 1987 Legislature will have an opportunity to address the situation prior to the rules becoming effective.

RULES ON AIDS DISCUSSED

The Committee discussed emergency rules relating to the reporting of AIDS adopted by the Department of Health and Environmental Sciences. Also discussed were the State Auditor's rules relating to mid-term cancellations and rate increases for insurance.

The Committee received reports from the Montana Economic Development Board and the Department of Social and Rehabilitation Services.

HAVE CONCERNS?

Remember, if you have any concerns regarding rules, contact any member of the Committee or the staff. The next Committee meeting is tentatively scheduled for February 21.

REVENUE OVERSIGHT COMMITTEE

RAILROAD TAXES CONCERN MEMBERS

The Revenue Oversight Committee held its fourth meeting of the interim on November 15 in Helena. Although not an item on the agenda, the Committee discussed concerns raised in several news articles that legislation adopted in the 1985 session was a contributing factor in the recent announcement by Burlington Northern that the diesel repair shop in Livingston would be closed. The Committee agreed to continue the investigation begun during the 1983-84 interim on the taxation of railroad property.

OTHER TAX ISSUES STUDIED

Other items discussed by the Committee included: a staff report on semiannual payments of property taxes; the progress of an audit of the Department of Revenue's Property Assessment Division by the Legislative Auditor; potential "in-kind" payment of death taxes by the estates of the Daly Mansion in Hamilton and the Moss Mansion in Billings; recent activity of the Department of Revenue in confiscating purportedly illegal poker machines; recent State Tax Appeal Board decisions on several appeals made by the Catholic Diocese of Montana; the implications of federal tax reform proposals on Montana's taxpayers and revenue pictures

(reports by the DOR and LFA); and a staff report reviewing property tax appeals and refund procedures in 13 western states.

The Committee asked staff to prepare a report on the railroad taxation issue for the Committee's January 10 meeting, and to work with interested parties on developing proposals for improving Montana's property tax appeal and refund procedures.

JANUARY 10 MEETING PLANNED

The Committee's next meeting is scheduled for January 10, 1986, at the Capitol in Helena. Tentatively scheduled agenda items include a continuing discussion of the railroad taxation issue; possible changes to Montana's property tax appeals process; and problems identified by Montana's producers of fuel-grade ethanol.

SELECT COMMITTEE ON HEALTH INSURANCE FOR RETIRED PUBLIC EMPLOYEES

SURVEY REVIEWED

On November 13 the Select Committee on Health Insurance for Retired Public Employees met to review and revise a retiree health insurance survey. The purpose of this survey is to collect data on the health insurance needs of retired state and local government employees. The Committee's consultants, Dan Imming and Ted Shively from the Martin E. Segal Company, provided technical assistance to Committee members during the meeting.

LATE FEBRUARY MEETING PLANNED

The Committee is tentatively scheduled to meet in late February to review the survey results.

MONTANA - WESTERN CANADIAN PROVINCES BOUNDARY ADVISORY COMMITTEE

NOVEMBER 7 MEETING HELD

After hearing reports on November 7 on cooperative weed control, grasshopper control, beef imports and exports, international movements of livestock, skunk rabies eradication, water development in the Milk River Valley, and forest products trade, the Montana-Canadian Committee:

-- endorsed, without obligation for funding, a research project by Dr. Merle D. Faminow of the University of Arizona on livestock trade flow; and

PLANS TO MEET WITH ALBERTANS	-- decided at the next meeting, not yet scheduled, to discuss all water issues with a delegation from Alberta.

WATER POLICY COMMITTEE

MEETING HELD NOVEMBER 14, 15	The Water Policy Committee met November 14 and 15 to discuss drought management, water use efficiency, water data management, and ground water management. A series of presentations and panel discussions provided summaries of existing management efforts and problems in each of the areas. Committee recommendations concerning these topics will be developed after continued study of selected problems.
JANUARY 30, 31 SET FOR NEXT MEETING	The third meeting of the Water Policy Committee is tentatively scheduled for January 30 - 31 in Bozeman. The water adjudication process and the status of water research in Montana will be examined during the meeting.

LEGISLATIVE INTERIM CALENDAR
DECEMBER

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3 LAW ENFORCEMENT ACADEMY SUBCOMMITTEE	4 - Bozeman	5	6	7
8	9 LEGISLATIVE AUDIT COMM. rm.104	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25 CHRISTMAS 	26	27	28
29	30	31				

*all meetings are subject to change

LEGISLATIVE INTERIM CALENDAR
JANUARY

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 NEW YEAR'S DAY 	2	3	4
5	6	7	8	9	10 ROC - rm.104	11
12	13	14	15	16	17 LEG. COUNCIL rm.132-10am LFA-FINANCE COMM.-rm.104 COAL TAX OVERSIGHT COMM. rm.108	18 LFA-FINANCE COMM.-rm.104
19	20	21	22	23	24 INFRASTRUCTURE COMM.-rm.104	25
26	27	28	29	30 WATER POLICY COMMITTEE - Bozeman	31	

*all meetings are subject to change

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